



#42661

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Ozluturk et al.

Our File: I-2-91.8US

Application No.: 09/742,990

Date: May 9, 2001

Filed: December 21, 2000

For: CODE DIVISION MULTIPLE ACCESS
(CDMA) COMMUNICATION SYSTEM

Group: 2661

Examiner: Not Yet Known

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MAY 17 2001
TC 2661 MAILROOM

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

Further to applicants' Duty of Disclosure pursuant to 37 C.F.R. § 1.56, applicants wish to bring to the Examiner's attention the material cited on the enclosed PTO-1449 forms.

This application is a continuation in part of Application No. 08/956,740, filed on October 23, 1997, which issued on April 10, 2001 as U.S. Patent No. 6,215,778.

Pursuant to 37 C.F.R. § 1.98(d) copies of documents identified on the PTO-1449 forms by an asterisk (*) are not enclosed since these documents were cited in one or more of the following parent applications: U.S. Patent Appln. No. 08/956,740, filed on October 23, 1997; U.S. Patent Appln. No. 08/669,775, filed on June 27, 1996, which issued on August 25, 1998 as U.S. Patent No. 5,799,010; U.S. Provisional Appln. No. 60/000,775, filed on June 30, 1995; U.S. Patent Appln. No. 09/003,104, filed on January 6, 1998; U.S.

Applicant: Ozluturk et al.
Application No.: 09/742,990


Patent Appln. No. 08/670,162, filed on June 27, 1996, which issued on November 24, 1998 as U.S. Patent No. 5,841,768; U.S. Patent Appln. No. 09/304,286, filed on May 3, 1999; U.S. Patent Appln. No. 08/671,068, filed on June 27, 1996, which issued on August 30, 1999 as U.S. Patent No. 5,940,382; U.S. Patent Appln. No. 09/354,042, filed on July 15, 1999; U.S. Patent Appln. No. 08/671,067, filed on June 27, 1996, which issued on September 14, 1999 as U.S. Patent No. 5,953,346; U.S. Patent Appln. No. 09/129,850, filed on August 6, 1998; U.S. Patent Appln. No. 08/670,160, filed on June 27, 1996; U.S. Patent Appln. No. 09/079,600, filed on May 15, 1998; U.S. Patent Appln. No. 08/671,221, filed on June 27, 1996, which issued on May 19, 1998 as U.S. Patent No. 5,754,803. However, copies will be provided upon request by the Examiner if desired. Copies of all other material cited are enclosed.

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 forms indicating his consideration of the cited materials.

Respectfully submitted,

Ozluturk et al.

Volpe and Koenig, P.C.
Suite 400, One Penn Center
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103

By 
Kao H. Lu, Esquire
Registration No. 43,761
(215) 568-6400

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Enclosures



Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (6-98)
Approved for use through 09/30/2000, OMB 0651-0031
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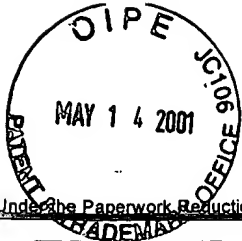
TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/742,990	
	Filing Date	December 21, 2000	
	First Named Inventor	Ozluturk et al.	
	Group Art Unit	2661	
	Examiner Name	Not Yet Known	
Total Number of Pages in This Submission	14	Attorney Docket Number	I-2-91.8US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	PTO-1449 Form; and Six (6) references cited thereon.
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Status Claimed	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Kao H. Lu, Esquire Volpe and Koenig, P.C.	Reg. No. 43,761
Signature		
Date	5/9/01	

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: May 9, 2001			
Typed or printed name	Kao H. Lu, Esquire		
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Volpe and Koenig, P.C. Revision of

PTO/SB/17 (11-00)

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FEE TRANSMITTAL
for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 0.00**Complete if Known**

Application Number	09/742,990
Filing Date	December 21, 2000
First Named Inventor	Ozluturk et al.
Examiner Name	Not Yet Known
Group Art Unit	2661
Attorney Docket No.	I-2-91.8US

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- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	22-0493
Deposit Account Name	Volpe and Koenig, P.C.

- ☒
- Charge Any Deficiency or Credit any Overpayment in the Total Fees Associated with this Communication

☐ Applicant claims small entity status.
See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:**

☐ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00**2. EXTRA CLAIM FEES**

	Extra Claims	Fee from below	Fee Paid
Total Claims	_____	_____ X _____	_____
Independent Claims	_____	_____ X _____	_____
Multiple Dependent	_____	_____	_____

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Name (Print/Type) Kao H. Lu, Esquire

Registration No. (Attorney/Agent) 43,761

Complete (if applicable)

Telephone 215-568-6400

Signature

Date

5/9/01

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FORM PTO-1449

ATTY. DOCKET NO.
I-2-91.8USSERIAL NO.
09/742,990U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEINFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

APPLICANT
Ozluturk et al.FILING DATE
December 21, 2000GROUP
2661

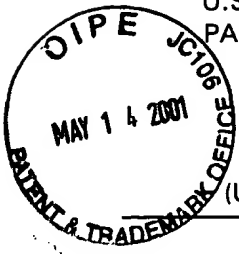
U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA*	3	7	6	1	6	1	0	09/73	Krallinger et al.			
	AB*	4	0	6	9	3	9	2	1/78	Goldenberg et al.			
	AC*	4	1	5	6	2	7	7	5/79	Seitz et al.			
	AD*	4	2	9	2	6	2	3	9/81	Eswaran et al.			
	AE*	4	3	8	4	3	0	7	5/83	Kuzmik et al.			
	AF*	4	3	8	5	2	0	6	5/83	Bradshaw et al.			
	AG*	4	4	2	5	6	6	5	1/84	Stauffer			
	AH*	4	4	5	8	3	1	4	7/84	Grimes			
	AI*	4	4	8	0	3	0	7	10/84	Budde et al.			
	AJ*	4	5	7	0	2	2	0	2/86	Tetrick et al.			
	AK*	4	5	8	3	1	2	4	04/86	Tsuji et al.			
	AL*	4	6	0	8	7	0	0	8/86	Kirtley, Jr. et al.			
	AM*	4	6	3	0	1	2	6	12/86	Kaku et al.			
	AN*	4	6	4	6	2	3	2	2/87	Chang et al.			
	AO*	4	6	6	7	1	9	2	5/87	Schmid et al.			
	AP*	4	6	7	5	8	6	5	6/87	DeVries et al.			
	AQ*	4	7	0	9	3	4	3	11/87	Van Cang			
	AR*	4	7	4	4	0	7	9	5/88	Csapo et al.			
	AS*	4	7	6	8	1	4	5	8/88	Wheelwright et al.			
	AT*	4	8	1	1	2	6	2	3/89	White			
	AU*	4	8	1	1	4	2	1	3/89	Havel et al.			

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	AV*	4	8	6	2	4	0	2	8/89	Shah et al.			
	AW*	4	9	0	1	3	0	7	2/90	Gilhousen et al.			
	AX*	4	9	1	4	5	7	4	4/90	Terada et al.			
	AY*	5	0	2	2	0	4	9	6/91	Abrahamson et al.			
	AZ*	5	0	5	0	0	0	4	9/91	Morton, Jr.			
	BA*	5	0	5	6	1	0	9	10/91	Gilhousen et al.			
	BB*	5	0	8	4	9	0	0	1/92	Taylor			
	BC*	5	0	9	3	8	4	0	3/92	Schilling			
	BD*	5	1	0	3	4	5	9	4/92	Gilhousen et al.			
	BE*	5	1	0	5	4	2	3	4/92	Tanaka et al.			
	BF*	5	1	0	9	3	9	0	4/92	Gilhousen et al.			
	BG*	5	1	1	3	5	2	5	5/92	Andoh			
	BH*	5	1	1	5	4	2	9	5/92	Hluckyj et al.			
	BI*	5	1	1	7	3	8	5	5/92	Gee			
	BJ*	5	1	4	0	6	1	3	8/92	Birgenheier et al.			
	BK*	5	1	5	9	2	8	3	10/92	Jensen			
	BL*	5	1	5	9	5	5	1	10/92	Brunnett et al.			
	BM*	5	1	6	6	9	5	1	11/92	Schilling			
	BN*	5	1	9	3	0	9	4	3/93	Viterbi			
	BO*	5	1	9	9	0	6	1	3/93	Kim			
	BP*	5	2	0	4	8	7	6	4/93	Bruckert et al.			

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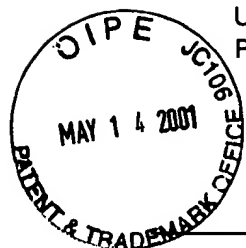
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BQ*	5	2	2	4	1	2	0	6/93	Schilling			
	BR*	5	2	2	8	0	5	4	7/93	Rueth et al.			
	BS*	5	2	2	8	0	5	6	7/93	Schilling			
	BT*	5	2	3	5	6	1	4	8/93	Bruckert et al.			
	BU*	5	2	3	7	5	8	6	8/93	Bottomley			
	BV*	5	2	4	1	6	9	0	8/93	Larsson et al.			
	BW*	5	2	4	5	6	2	9	9/93	Hall			
	BX*	5	2	5	3	2	6	8	10/93	Omura et al.			
	BY*	5	2	5	3	3	4	7	10/93	Bagnoli et al.			
	BZ*	5	2	5	7	2	8	3	10/93	Gilhausen et al.			
	CA*	5	2	5	8	9	4	0	11/93	Coker et al.			
	CB*	5	2	6	0	9	6	7	11/93	Schilling			
	CC*	5	2	6	2	9	7	4	11/93	Hausman et al.			
	CD*	5	2	6	5	1	1	9	11/93	Gilhausen et al.			
	CE*	5	2	6	7	2	6	2	11/93	Wheatley, III			
	CF*	5	2	7	4	4	7	4	12/93	Medina			
	CG*	5	2	7	6	6	8	4	1/94	Pearson			
	CH*	5	2	8	3	5	3	6	2/94	Wheatley, III			
	CI*	5	2	8	7	2	9	9	2/94	Lin			
	CJ*	5	2	8	7	4	6	3	2/94	Frame et al.			
	CK*	5	2	9	5	1	5	2	3/94	Gudmundson et al.			
	CL*	5	2	9	7	1	6	2	3/94	Lee et al.			

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	CM*	5	2	9	9	2	2	8	3/94	Hall			
	CN*	5	3	0	5	3	4	9	4/94	Dent			
	CO*	5	3	0	9	4	7	4	5/94	Gilhousen et al.			
	CP*	5	3	1	1	4	5	9	5/94	D'Luna et al.			
	CQ*	5	3	2	7	4	5	5	7/94	DeGaudenzi et al.			
	CR*	5	3	2	7	4	6	7	7/94	DeGaudenzi et al.			
	CS*	5	3	3	9	1	7	4	8/94	Harris			
	CT*	5	3	4	1	3	9	6	8/94	Higgins et al.			
	CU	5	3	4	3	3	3	5	8/94	Hara			
	CV*	5	3	4	5	5	9	8	9/94	Dent			
	CW	5	3	4	7	5	3	6	9/94	Meehan			
	CX*	5	3	4	9	6	0	6	9/94	Lovell et al.			
	CY*	5	3	5	1	1	3	4	9/94	Yaguchi et al.			
	CZ*	5	3	5	3	3	0	2	10/94	Bi			
	DA*	5	3	5	3	3	5	2	10/94	Dent et al.			
	DB*	5	3	5	5	4	5	3	10/94	Row et al.			
	DC*	5	3	6	3	3	7	7	11/94	Sharpe			
	DD*	5	3	6	7	5	3	3	11/94	Schilling			
	DE*	5	3	7	3	5	0	2	12/94	Turban			
	DF*	5	3	7	7	1	8	3	12/94	Dent			
	DG*	5	3	7	9	2	4	2	1/95	Rose et al.			
	DH*	5	3	9	2	2	8	7	2/95	Tiedemann, Jr. et al.			

EXAMINER

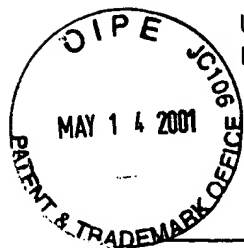
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EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	DI*	5	3	9	6	5	1	6	3/95	Padovani et al.			
	DJ*	5	3	9	8	2	4	3	3/95	Aguilhon et al.			
	DK*	5	4	0	4	3	7	6	4/95	Dent			
	DL*	5	4	0	6	5	5	9	4/95	Edem et al.			
	DM*	5	4	1	4	7	2	8	5/95	Zehavi			
	DN*	5	4	1	4	7	2	9	5/95	Fenton			
	DO*	5	4	1	4	7	3	2	5/95	Kaufmann			
	DP*	5	4	1	6	7	9	7	5/95	Gilhousen et al.			
	DQ*	5	4	1	8	6	2	4	5/95	Ahmed			
	DR*	5	4	2	0	8	9	6	5/95	Schilling			
	DS*	5	4	3	0	7	2	4	7/95	Fall et al.			
	DT*	5	4	3	0	7	6	0	7/95	Dent			
	DU*	5	4	4	0	5	9	7	8/95	Chung et al.			
	DV*	5	4	4	2	6	6	2	8/95	Fukasawa et al.			
	DW*	5	4	4	6	6	8	3	8/95	Mullen et al.			
	DX*	5	4	4	6	7	5	6	8/95	Mallinckrodt			
	DY*	5	4	5	9	7	5	9	10/95	Schilling			
	DZ*	5	4	8	3	5	4	9	1/96	Weinberg et al.			
	EA*	5	4	8	7	0	8	9	1/96	Misaizu et al.			
	EB*	5	4	8	8	6	2	9	1/96	Takahashi et al.			
	EC*	5	5	0	9	1	2	6	4/96	Oprescu et al.			
	ED*	5	5	1	9	7	3	6	5/96	Ishida			

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EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	EE*	5	5	2	8	5	9	3	6/96	English et al.			
	EF*	5	5	4	4	1	5	6	8/96	Teder et al.			
	EG*	5	5	4	8	6	1	3	8/96	Kaku et al.			
	EH*	5	5	5	0	8	1	1	8/96	Kaku et al.			
	EI*	5	5	5	9	7	9	0	9/96	Yano et al.			
	EJ*	5	5	6	1	6	6	9	10/96	Lenny et al.			
	EK*	5	5	6	3	9	1	2	10/96	Yasunaga			
	EL*	5	5	9	6	5	7	0	1/97	Soliman			
	EM*	5	6	1	9	5	2	4	4/97	Ling et al.			
	EN*	5	6	5	7	3	4	3	8/97	Schilling			
	EO*	5	6	7	3	2	8	6	9/97	Lomp			
	EP*	5	7	1	2	8	6	9	1/98	Lee et al.			
	EQ*	5	7	4	5	4	8	4	4/98	Scott			
	ER*	5	8	4	1	7	6	8	11/98	Ozluturk et al.			
	ES*	5	9	4	0	3	8	2	8/99	Haim			

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		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
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	ET*	0	3	7	2	3	5	9A2	6/90	Europe				
	EU*	0	5	6	5	5	0	7	10/93	Europe				
	EV*	0	5	2	5	8	6	0A2	2/93	Europe				
	EW*	0	0	2	2	1	7	0A2	1/81	Europe				

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		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO
	EX*	0	4	6	4	8	3	9	1/92	Europe				
	EY*	0	5	2	6	1	0	6	2/93	Europe				
	EZ*	0	6	5	4	9	1	3	5/95	Europe				
	FA*	0	6	5	6	7	1	6	6/95	Europe				
	FB*	0	6	6	8	6	6	2	8/95	Europe				
	FC*	0	7	4	4	8	7	6	11/96	Europe				
	FD*	3	7	4	3	7	3	1A	7/89	Germany				
	FE*	3	7	4	3	7	3	2A	7/89	Germany				
	FF*	2	3	0	1	7	4	6	12/96	Great Britain				
	FG	62	2	5	6	5	1	6	11/87	Japan				X
	FH*	02	2	5	6	3	3	1	10/90	Japan				
	FI*	H2-	2	8	7	8	7	4	11/90	Japan				
	FJ	H4	2	2	2	1	1	1	8/92	Japan				
	FK*	H4-	2	8	7	5	9	3	10/92	Japan				
	FL	H5	1	4	4	1	2	8	6/93	Japan				
	FM	H6	1	0	4	6	9	4	4/94	Japan				
	FN	H7	2	7	3	6	0	0	10/95	Japan				
	FO*	9	2	0	0	6	3	9	1/92	PCT				
	FP*	9	3	0	7	7	0	2	4/93	PCT				
	FQ*	9	5	0	3	6	5	2	2/95	PCT				
	FR*	9	7	0	2	6	6	5	1/97	PCT				

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													YES	NO
	FS*	9	5	0	7	5	7	8	3/95	PCT				

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	FT*	Patent Abstracts of Japan, Vol. 015, No. 003 (E-1019), 7 January 1991 & JP 02 256331 A (Sharp Corp.), 17 October 1990, see abstract.
	FU*	Raymond W. Nettleton, "Spectral Efficiency in Cellular Land-Mobile Communications: A Spread-Spectrum Approach," UMI Dissertation Information Service, (1978), 204 pp.
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	FW*	"Code Division Multiple Access (CDMA)", Franz Josef Hagmanns, Volker Hespelt, 8273 ANT Nachrichtentechnische Berichte (1993) August, No. 10, Backnang, DE, PP. 64-71
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